

Message Text

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ACTION L-03

INFO OCT-01 ARA-16 EUR-25 EA-11 IO-13 ADP-00 COA-02 EB-11

OIC-04 CIAE-00 DODE-00 PM-07 H-03 INR-10 NSAE-00

NSC-10 PA-03 RSC-01 PRS-01 SS-15 USIA-15 ACDA-19

AEC-11 AGR-20 CG-00 COME-00 DOTE-00 FMC-04 INT-08

JUSE-00 NSF-04 OMB-01 TRSE-00 SCI-06 CEQ-02 RSR-01

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R 081955Z AUG 73

FM USMISSION GENEVA

TO SECSTATE WASHDC 1066

INFO USUN NEWYORK 9497

AMEMBASSY BELGRADE

AMEMBASSY MOSCOW

AMEMBASSY MANILA

AMEMBASSY BRASILIA

UNCLAS GENEVA 4223

E.O. 11625: N/A

TAGS: PBOR, UN

SUBJ: LOS: SEABED COMTE MEETING, SUB COMTE II WORKING GROUP,
AUGUST 6, 1973

1. SUMMARY. SCII WG OF WHOLE APPROVED DRAFT TEXTS ON SEVERAL
LARGELY NON-CONTROVERSIAL ARTICLES. DISCUSSION WAS POST-
PONED ON CONTENTIOUS ITEMS ON LIST.

2. CHAIRMAN OPENED MEETING STATING THAT THERE WOULD NO LONGER BE
ANY EFFORT TO REACH CONSENSUS ON TEXT OF ARTICLES TO BE CONSIDERED
BY THE WORKING GROUP. EFFORT IN FUTURE WOULD BE TO DRAW UP
DISTINCT ALTERNATIVE TEXTS. HE APPEALED TO DELEGATES NOT TO
CRITICIZE ALTERNATIVES SUBMITTED BY OTHER DELEGATIONS AND SUGGESTED
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THAT ALTERNATIVES BE SUBMITTED IN LIEU OF CRITICISM. HE ALSO

ANNOUNCED THAT WORKING GROUP WOULD ATTEMPT TO DEAL WITH ONE ARTICLE PER MEETING.

3. YUGOSLAVIA SPOKE WITH RESPECT TO ITS UNDERSTANDING OF "SOVEREIGNTY" AND "JURISDICTION" AND NOTED THAT YUGOSLAVIA WOULD LIKE TO SEE ARCHIPELAGIC WATERS CAREFULLY DEFINED IN ARTICLE I OF CONSOLIDATED TEXT.

4. CHINESE REP RAISED POINT THAT CHINESE POSITION WAS NOT ADEQUATELY REFLECTED IN NEW TABLE OF SIX ALTERNATIVE ARTICLES ON TERRITORIAL SEA PREPARED ON BASIS OF EARLIER DISCUSSIONS IN WORKING GROUP.

5. USSR POINTED OUT THAT NO DRAFT ARTICLES HAD BEEN SUBMITTED UNDER ARTICLE 2.2 OF CONSOLIDATED TEXT BUT ONLY CONCLUSIONS OF YAOUNDE SEMINAR. SOVIET DELEGATION THEREFORE SUPPORTED PRIOR TURKISH PROPOSAL TO BYPASS ITEM.

6. UK AND FRENCH DELEGATIONS TOOK THE FLOOR TO CRITICIZE ARTICLES PREVIOUSLY DISCUSSED. CHAIRMAN AGAIN APPEALED FOR SUBMISSION OF ALTERNATIVES BY MEMBERS OF WORKING GROUP AND PLED WITH DELEGATIONS TO AVOID CRITICISM OF ALTERNATIVES PROPOSED BY OTHERS. HE THEN ANNOUNCED THAT WORKING GROUP WOULD GO ON TO CONSIDERATION OF ARTICLE 2.3.1., "QUESTION OF THE DELIMITATION OF THE TERRITORIAL SEA; VARIOUS ASPECTS INVOLVED."

7. PHILIPPINE DEL NOTED THAT HIS DELEGATION HAD JUST FILED WITH SECRETARIAT ARTICLES ON HISTORIC WATERS (ART. 2.2). TURKISH DEL NOTEE THAT URUGUAYAN ARTICLES PRESENTED UNDER ITEM 2.3.1 WERE BASED ON 1958 CONVENTION ON TERRITORIAL SEAS, ARTICLES 3 THROUGH 12. HE SUGGESTED THAT, IN VIEW OF THEIR WIDE ACCEPTANCE, WORKING GROUP MIGHT PASS ON TO NEXT ITEM. AFTER OPPOSITION FROM CYPRUS, MALTA AND FRANCE, CHAIRMAN STATED THAT LIST WOULD BE FOLLOWED AS PREVIOUSLY AGREED.

8. ARTICLES 1 THROUGH 3 OF ITEM 2.3.1 (BASED ON ARTICLES 12(2), 3, 4(1), 4(2) AND 4(3) OF 1958 CONVENTION ON TERRITORIAL SEA AND CONTIGUOUS ZONE) WERE THEREAFTER ADOPTED BY WORKING GROUP WITH SOME STATES NOTING THAT THEY MIGHT WISH TO SUGGEST SOME CHANGES WHICH WOULD BE FILED WITH SECRETARIAT.

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9. CONSIDERATION OF ARTICLES 4 AND 5 OF LIST ITEM 2.3.1 WAS POSTPONED FOLLOWING SUBSTANTIVE DISCUSSION. PHILIPPINE REP POINTED OUT WITH RESPECT TO ARTICLE 4 IT WAS NOT NECESSARY FOR STATES TO ESTABLISH TERRITORIAL SEAS WITH OUTER LIMITS, EVERY POINT OF WHICH IS EQUIDISTANT FROM THE BASE LINE. DECISION ON ARTICLE 5 WAS POSTPONED WHEN IT WAS POINTED OUT BY DELEGATIONS OF TURKEY AND CYPRUS THAT IMPORTANT QUESTIONS INVOLVING REGIME OF ISLANDS WERE

INVOLVED.

10. ARTICLE 6 (CONCERNING BAYS) WAS ACCEPTED WITH EXCEPTION OF ARTICLE 6(4) AND ARTICLE 6(5). BRAZIL INDICATED THAT IT WOULD PRESENT AN ALTERNATIVE TO THESE TWO SUB-ARTICLES IN WHICH FIGURE 24 WAS DELETED SINCE IN ITS VIEW THIS FIGURE COULD PREJUDICE QUESTION OF MAXIMUM BREADTH OF TERRITORIAL SEA.

11. ARTICLES 7(HARBOR WORKS) AND 8 (ROADSTEADS) WERE ACCEPTED WITHOUT COMMENT.

12. CONSIDERATION OF ARTICLE 9 (LOW TIDE ELEVATIONS) WAS POSTPONED WHEN QUESTIONS INVOLVING THE REGIME OF ISLANDS WERE NOTED.

13. ARTICLE 10 (RIVER MOUTHS) WAS ACCEPTED WITHOUT DISCUSSION.

14. CONSIDERATION OF ARTICLE II (INTERNAL WATERS) WAS POSTPONED UNTIL NEXT MEETING OF WORKING GROUP BECAUSE CLAUSE INVOLVED POTENTIALLY SERIOUS QUESTIONS, INCLUDING SPANISH CONCERN THAT IT RELATED TO STRAITS.

15. CHAIRMAN ANNOUNCED THAT DISCUSSION AT NEXT MEETING OF WG WOULD FOCUS ON WHETHER TO POSTPONE ARTICLE 2 TO A LATER TIME.

16. SOVIET DELEGATION REQUESTED CLARIFICATION OF SCHEDULE OF WG ON TUESDAY, 7 AUGUST. CHAIRMAN INDICATED THAT TIME WOULD BE ALLOTTED FOR VERY INFORMAL CONSULTATIONS ON A/AC/138/SCII/L.38 (SIX POWER FISHERIES PROPOSAL) AND THAT THE WG ITSELF WOULD NOT MEET IN AFTERNOON.BASSIN

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